

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

WILLIAM O. ROARK, III,

Plaintiff,

v.

LEE COMPANY,

Defendant.

)
)
)
)
)
)
)
)
)
)


NO. 3:09-0402
JUDGE HAYNES

ORDER

In accordance with the Memorandum filed herewith, the Defendant's motion to dismiss (Docket Entry No. 11) is **GRANTED in part** and **DENIED** in part. Accordingly, Plaintiff's 20043 and 2004 USERRA claims are **DISMISSED with prejudice**. The defendant's motion is otherwise **DENIED**.

It is so **ORDERED**.

Entered this the 19th day of November, 2009.



William J. Haynes, Jr.
United States District Judge